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ABSTRACT

Views of four spokespersons concerning the Federation of University Employees' 10-week strike at Yale University in 1984, which involved clerical and technical workers of Local 34, are presented. Speaking for the college administration, Linda Lorimer reviews the composition of the Local 34 bargaining unit and notables of the contract, and briefly traces the chronology of the labor dispute. Providing the union perspective, John Wilhelm suggests that clerical and technical employees will be unionizing in much greater numbers in the next decade in private colleges and universities. He questions whether the strike was in the best interest of students and faculty and the university as a whole. A faculty view in support of Local 34 is discussed by Jack McKivigan, who traces the events leading to the strike and the dynamics involved, including the Administration's public posture of reasonableness and its private posture of intractability. Support for the university administration is expressed by another faculty member, Donald Kagan, who addresses the effect of the strike on students and faculty. He suggests that if the university were trying to destroy the union in spring 1984, it should not have signed any kind of contract, because that would have left it open for people to try to decertify the union. (SW)

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NEWSLETTER
NATIONAL CENTER FOR THE STUDY OF COLLECTIVE BARGAINING IN HIGHER EDUCATION AND THE PROFESSIONS

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THE STRIKE AT YALE

Editor's Note: The ten-week strike at Yale by Local 34 of the Federation of University Employees generated much interest in the higher education collective bargaining community. While the strike involved clerical and technical workers, its ramifications and impact on college and university unionized employment relationships appear substantial. As part of the Thirteenth Annual Conference of the National Center, we invited representatives from the University, the Union and the faculty to share with us their views and experiences regarding the strike and the events that led to it. The article below sets forth the respective positions of the four spokespersons.

The views expressed herein are solely those of the authors and are not necessarily the views of the National Center.

I. ADMINISTRATION PERSPECTIVE

Linda Lorimer
Associate Provost and Acting Associate
Vice President for Human Resources
Yale University

"I believe no useful purpose is served by performing a sociological autopsy of the strike at Yale." I share that sentiment which was stated last month by Edward Hanley, the President of the International Union representing Yale's clerical and technical workers in Local 34. But, of course, we are engaged this afternoon, if not in a sociological autopsy, then in a kind of "post-mortem" about the labor dispute at Yale.

Before we turn to that analysis, I think it might be useful if I review the composition of the Local 34 bargaining unit and provide the briefest of chronologies of the labor dispute at Yale. Then I will offer a few facts that I think were not conveyed by the press. I will rely on the faculty panelists to offer their own impressions of how the educational process was affected at Yale during the strike.

Who is in the bargaining unit of Local 34? The answer to that question suggests, in part, one of the reasons why it was so difficult and time consuming for both parties to reach agreement. Included within the bargaining unit are the "clerical and technical" staff at Yale. I know the definitions of such terms vary widely so let me state it another way. If you were to remove the faculty and the blue collar service and maintenance workers, as well as the managerial and professional staffs (that is, those whom we consider exempt from the Fair Labor Standards Act), all of the other permanent staff at Yale who work more than twenty hours a week are encompassed in this unit.

Those approximately 2,600 employees form a wall-to-wall unit from the medical school on one side of the campus to the divinity school on the other. It includes 250 job titles: photographers, crew riggers, clerical workers, nurses aides and those working in the laboratories. Over 80% of the members of the unit are women. There are young graduates of Yale College and older women who have spent all of their adult lives working at Yale. Approximately 30% of those in the unit are supported by grant and contracts which is a fact that complicated the negotiations from the University's perspective given the always uncertain funding for those positions.

In short, the roles and responsibilities of the members of the bargaining unit and their relationships with the schools and departments within Yale made for one of the toughest tasks in these negotiations, because we had to develop a contract, which while embracing them all, did not impose rules for some that were inappropriate for others. Time will tell how well we did.

A description of the Local 34 bargaining unit is not complete without reference to the so-called brother unit at Yale—Local 35 affiliated with the same New England Hotel and Restaurant Employees International Union. That unit which has been at Yale for many decades staffs, among other things, the physical plant and the dining halls. That unit conducted a sympathy strike in support of Local 34 during the fall. As we expected, it was the withdrawal of services by Local 35 in support of Local 34 that was most problematic in terms of the practical operation of the University during the strike.

What was the chronology? The story of Local 34 goes back a long way but from our negotiating perspective, we can pinpoint the certification of the bargaining unit in May 1983 as the origin. It was a very close election in a unit of more than 2600; the Union won by thirty-some votes.

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Five months after the certification (in October of 1983), the Union first presented its demands. After a lot of procedural dickering through the fall, we got down to business in the winter. In the spring of 1984, the Union set a strike deadline and then extended that deadline to April 4th. Through round-the-clock negotiations in late March and early April 1984, we arrived at what has been termed a "partial contract." That contract included, among many other things, a union security provision in the form of a modified agency shop and promotion and transfer provisions, and provided for participation on University committees by the staff. The partial contract dealt with working conditions. It provided no bucks and no benefits. There was hope by the University that the partial contract would be the springboard to resolving quickly the remaining issues.

But negotiations dragged through the summer of 1984. A private mediator was asked by both parties to join the negotiations in late summer. A new strike deadline was set for September 26. Negotiations continued around-the-clock. However, the strike was called by the Union on September 26. In late November, what had been almost simultaneous deliberations by the respective parties gave rise to two developments: The Union decided it would return to work without a contract in early December and the University indicated that it would implement unilaterally its salary package for the first year of the contract. The Union also indicated it would go back on strike on January 19, 1985 (a few weeks into the second term) if a contract was not arrived at by that time. The negotiations were successfully concluded before that deadline.

What were those weeks of the strike like? As I said, I will leave the analysis of the educational impact to the faculty panelists, but, I do think it is important to note what was not evident from the nightly news: from the first day of the strike over 40% of the clerical and technical unit came to work. By the end of the strike, 45% of the unit was at work. There were some places, most notably the law school, which were particularly distressed by the strike and others that carried on, frankly, with very little, if no, interruption.

Throughout the strike, there was, what I would call, "cluster picketing." At certain symbolic administrative buildings, a great deal of picketing occurred, while at other areas of the University there was no picketing. So it was literally quite possible to walk across campus and not see a picketer.

I do want to say—and I think it is a commendation of the Union leadership and the entire community—that there was no violence throughout the strike at Yale. I do not want to underestimate, by this comment the effect of the strike at Yale. It was devisive and it was extremely painful. It was particularly painful I think because Yale, like most educational institutions, is a place that has prided itself on being a community that cares about those with whom we work and on giving the extra effort to students and to research that distinguish the place. Those standards were very hard to maintain during such a strike.

So what is notable in the contract with Local 34 that might be of interest on your campuses? First, I think that there is a set of provisions in the contract that derive particularly from Yale's role as an educational institution and a major research university. For example, a primary goal of the faculty for the University's negotiating agenda was preservation of their ability to pick the most qualified members of the clerical and technical unit without bumping provisions or seniority restraints so they could assure themselves of top-notch research groups or outstanding secretarial support. We are pleased that central to the employment processes embedded in the contract is the right of the supervisor, be it faculty or administrator, to choose the most qualified candidate for any position in the unit. Another perhaps peculiarly academic aspect of the contract derives from the flexibility it provides both to the staff and supervisors. Flexibility in work rules from one school to another was a hallmark of the institution and one of the things that we as a university very much wanted to preserve. As it turned out, neither party wanted unnecessary uniformity; thus there is no "least common denominator" principle in the contract involving working rules.

What else is notable in the contract? Although they are sprinkled thoughout the contract in no discernible pattern, I am struck by the number of provisions that we were able to incorporate in the contract that deal with "women's issues" or, more aptly perhaps, "family issues." There is a new day care committee where the clerical and technical staff will work with administrators to advise the University's day care coordinator on day care policy. We codified a six-month maternity leave policy, incorporating the benefits that we had provided in the past, but obliging as supervisors to hold open the jobs for the new mothers when they went on six month maternity leaves. We provided the same protections for those new fathers who wanted to take advantage of a leave. For employees who want to take up to two years off to raise children, there is a provision whereby they will not lose their seniority during that absence. And in recognition of the fact that many of the women currently working at Yale had left the University's employ at some time to raise a family and then returned to work, the contract includes a special provision for accrual of past employment at Yale when there was an interruption. We retained our flex-time policy, which I think is particularly useful to female employees juggling their schedules to accommodate family needs. There is also a reiteration in the contract with Local 34 of the University's policy against sexual harassment. All of those provisions and others address, and I believe rightly so, so-called women's concerns.

How did comparable worth figure then in the strike? Comparable worth—the phrase heard so much in the press during the strike—in my opinion, is not incorporated in the contract. I think that you are in as good a position as I am to judge, for I believe that it was primarily a public strategy and not a negotiating table issue. Since the unit is primarily female, any salary increase and improvement in the salary structure, of course, benefitted disportionately so-called female clerical jobs and thus, indirectly addressed the comparable worth concern that clerical salaries are generally

depressed because those positions have been held in the past by women. The only two aspects of the contract that directly relate to the public discussion of comparable worth are the general level of salary increases provided for the staff and a commitment by the University to review its job classification structure.

What else is notable to those interested in duplicating Local 34 or avoiding such a unit? First, I think that the "grass roots" organization of this unit enhanced its appeal to many women who may not have seen themselves, historically or traditionally, as union members.

Second, it was a public campaign as much as a private strike in terms of the effect on the University. That may make it less transportable to other campuses as the novelty to the press wears off. The Union, I think, was perceptive enough to capitalize on the fact that a university's reputation is one of its key assets. Yale's basic tact, as you probably could glean from our lack of response to much in the news, was not to respond to each of the issues raised in the press, because we did not want to intensify or prolong the press coverage. Other universities may conclude that a more aggressive posture with regard to the national media is preferable.

I do not believe that Local 34 is "the" Model, but I do think the message from Yale is clear: universities have to respond to the different voice of women on the campus. They can do it at the bargaining table or they can do it elsewhere but they do not have the choice anymore not to respond.

II. THE UNION PERSPECTIVE

John Wilhelm
International Vice President
New England Hotel and Restaurant Employees
International, AFL-CIO

Many among the clerical and technical employees at Yale University have been seeking to organize a union, at least since 1967, and I'm told by a history professor who's studying the question, even longer ago than that. Our own effort by the Hotel and Restaurant Employees Union began in 1980 and was the latest of a number of previous efforts. Our International Union has represented the service and maintenance employees at Yale, our sister local, Local 35, for many, many years and there has been a history of labor strife between the University and Local 35. There were strikes between Local 35 and the University in 1968, 1971, 1974 and 1977. These were successive contract expirations, each longer than the one before, which, I believe, is probably a record of some kind that, hopefully, none of the rest of you will emulate.

It's worth noting that the University responded to the employees' efforts to unionize in exactly the same way and with exactly the same sets of tactics and the same advisors as do most American corporations. The University hired, at the outset of the most recent efforts of the employees to unionize, Connecticut's law firm, Segal, O'Connor & Canon. There ensued a prolonged and stereotypical anti-union campaign on the campus culminating in the extremely narrow majority victory in the National Labor Relations Board election in May of 1983. Following the Union's certification, the University switched law firms and hired Seyforth, Shaw, Fairweather and Geraldson, a Chicago-based firm that counts among its clients the grape growers with which the farm workers deal.

Some 91 negotiating sessions were held. A year and a half and a bitter devisive, ten-week strike later, a first contract was signed. It is, from our point of view, an excellent contract, both in terms of its language and in its economic terms. It is one of the better first contracts that I have encountered. We're pleased with it and it's my understanding that the University is pleased with it as well which, I suppose, is the best possible result.

I know that it is fashionable to say that somehow the Yale Administration sort of mishandled the situation and it really shouldn't have gotten like it did. With explanations like that to say that what happened at Yale is some kind of an aberration that will not recur on any kind of a noticeable or widespread basis in private colleges and universities is a mistake. I believe that such a view, to the extent that anybody holds it, may be peculiar to Harvard but I understand it's more widespread than that, I suggest that such a view is really quite wrong. The Yale Administration did exactly what most private sector colleges and universities are doing in response to efforts by employees and especially these kinds of employees to unionize. They are using exactly the same techniques and the same advisors that other private corporations use against workers in their unions. I believe that if Yale had succeeded at any point along the way in achieving some of its objectives: if it had succeeded, for example, in preventing unionization; or if it had succeeded in forcing the union leadership to recommend to the membership a weak contract; or if the administration had succeeded in breaking the strike; that would have frustrated the employees' goals.

I think actually that what happened at Yale is really the tip of an iceberg in private colleges and universities. I believe that these kinds of employees will be unionizing in much greater numbers in the next decade in private colleges and universities and if that is so, I think it might be pertinent to pose a few questions about what went on there.

One of the questions involves a value judgment about universities and what university communities are supposed to be all about. Is it appropriate for a great American university to use all of its prestige and its moral leadership and its financial resources to discourage workers from exercising their rights? And, is it appropriate in doing that for a university to use the same techniques and the same advisors and, in effect to make common cause, with the current corporate attitude toward workers and their organizations while doing that? I am sometime seized by the apparent divergence between what some of the leaders of our educational establishments say and what they do and it's only occasionally that they bring the two together themselves.

President Bok of Harvard submits an annual report to the Board of Overseers each year on a

subject he considers to be of great importance. Three or four or five years ago, it was on the legal system. In the course of that, talking about how screwed up the legal system had become and how counterproductive it had become and what a waste of resources it had become, he cited as a concrete example the time, effort and money that Harvard, his university, had spent in trying to defeat, successfully up until that point and up until now, a union just like the one we're talking about at Yale. I was struck by the absurdity of the president of the institution citing that kind of exercise and that kind of expenditure of resources against the workers on his own campus as an example of the real problems in the legal system and in labor law and then continuing to do it. So, I think the real question is, is it appropriate for universities to behave that way? But, again, everybody's answer to that is their own.

I want to pose some other questions which had to do with not whether Yale's course of conduct was appropriate, but rather with whether that course of conduct is wise. The question to be asked is whether it was in the best interest of the students and the faculty and the University as a whole.

First, is it wise for a university to engage in a prolonged, high powered, anti-union campaign if the major result is to raise the stakes? It is one of the characteristics, in my view, of the typical corporate anti-union campaign in this country as is presently practiced, that the stakes are greatly raised. The employees are challenged at every turn of such a campaign and they were challenged at Yale. This can be documented forever. The employees were challenged at every turn to think about whether by joining together in a union they could accomplish the things that they thought might be important. Whether it was salaries, or in the area of dental care, of which there wasn't any at Yale up until this contract, or whether in the area of promotion rights, or in any of a host of other areas, the employees were constantly asked the question: if you join together in a union can you really do any better than you're doing already? That's a fine strategy, from the employer's point of view if the employer wins in the sense of preventing unionization. But if in spite of such an effort there's a union, which is what happened at Yale, the stakes have been greatly raised by that kind of campaign.

Second, I would ask the question whether it is wise to use the tremendous prestige, moral authority and resources that a place like Yale has, to wage what is really essentially a partisan battle within the University community. The moral intellectual authority of that place is virtually endless and that is so in the mind of the workers, as well as everybody else who contemplates the University. To those of you who weren't in Connecticut during this struggle, the implication might be that somehow the University did not respond, at least in any detail in public, on the issues. Some of you may know that the University for weeks on end purchased full-page advertisements in both New Haven papers, in the Hartford paper and, occasionally, elsewhere signed with the personal signature of the President of the University laying out in great detail the University's position on salaries and fringe benefits and a whole host of other things. It was a knockdown, drag out, partisan-type fight, non-violent but a real struggle. I wonder whether, in the long run, it might not diminish the moral and intellectual authority—whether the University might not use more of its moral and intellectual capital than is wise by using those resources in a struggle of that kind. The President of the University chose to personally identify himself in the manner that I just described and in other ways with the University's precise position at the bargaining table. People on the Yale Corporation, which is what they call the Board of Trustees, people with enormous and well-earned moral authority, like Bishop Paul Moore, the Episcopal Bishop of New York, or Eleanor Holmes Norton who, I'm sure, most of you know weighed in on one side. It wasn't our side I hasten to point out, in case you wonder at the nature of a very difficult, internal, partisan battle.

Is it wise to subject the University community to so devisive a struggle? I think clearly not. I believe there's no dispute on that one point among any of us. At Yale, and I assume at other similar institutions, the community doesn't operate, it can't function without mutual trust and a willingness to work together that has to be there because there really isn't a corporate, hierarchical system of restraints that make people do things so much as there's a belief that it's important to perform one's role in the community because the purpose of the community is so important and is therefore, to be supported.

In connection with all that—because somebody might say well, you went on strike—why not arbitration? I have negotiated a good deal in the private sector and a good deal in the public sector. I've negotiated with binding arbitration as an alternative and without it, and I recognize as do all of us that there are some imperfections in binding arbitration but I wonder whether binding arbitration might not make more sense than the kinds of destruction to which I have just briefly referred. At various times, the Union proposed it or was willing to accept proposals by others for binding arbitration of all of the issues and at one point we even proposed binding arbitration by a mutually agreeable panel of three Yale faculty members. Likewise this was rejected by the Administration.

Recognizing the problems with arbitration, I wonder whether in a university community, it might not make more sense to go that route, rather than the route that we all went at Yale. In my own view, a footnote to that point would be that I don't believe the contract would be as good as it is from the point of view of the Union membership had we gone to arbitration. I believe from the point of view of the Administration, the contract would have been a better one had they been willing to submit to binding arbitration.

I want to address the statement by Associate Provost Linda Lorimer that comparable worth is not in the contract. That's a fact only if one uses an extraordinarily narrow definition of the concept of comparable worth. That's not a phrase that I have ever used because to me it's a piece of jargon that is understood by a relatively small segment of the population. But, to the extent that the concept

includes things like the notion that jobs should not be paid less because they are mainly done by women, or a whole range of things that we know contribute to the underpayment of women (such as unfair promotional policies, and the lack of the kinds of policies which are now in place to which Ms. Lorimer referred and which she termed so-called women's issues), it is clearly in the contract. All of those things to me are the essence of the notion of comparable worth and I think, therefore, that those in the media who attach that tag to our efforts, really were fundamentally right. There is not the kind of a weighted point system study that some people think is necessary in order for one to be able to use that term, but the concepts are very much there and addressed in a reasonably sound way as a beginning in the settlement.

What happened to life at Yale is really probably the bottom line in all of this. I would differ with Ms. Lorimer's statement here that the withdrawal of services by the service and maintenance employees was what had the major effect. Certainly, that was noticeable. The service and maintenance employees did respect the picket line. In excess of 90% of them respected the picket line for the whole ten weeks but I think the effect was really much more fundamental and far reaching than that. Yet I have no confidence that the kinds of cautions that I have tried to note in these remarks today will be observed by other private universities in their contemplation of how to respond to the possibility of unionization by these kinds of employees. Regretfully, I'm sure that Columbia, Harvard and most private American universities will continue to respond to efforts by their employees to unionize in just the same way that Yale did and other American private corporations are doing these days. And so I raise these cautions without any particular hope that anybody would listen. I believe, however, that all of us will look back upon the results of that kind of a posture as having been extremely disastrous. I think that the fabric and the intellectual life of the institutions that we are talking about will be damaged. ...

The strike at Yale is a lesson, in my view, that ought to be studied carefully by people who are concerned about private universities because I think many private universities are going to have to decide how to deal with the same problem over the next decade. In my partisan and jaundiced view, there are much better ways to deal with it. Failing all else if people can't learn how to talk with one another perhaps even binding arbitration is preferable to that kind of destruction.

III. A FACULTY PERSPECTIVE IN SUPPORT OF LOCAL 34

Jack McKivigan
Professor of History
Yale University

I was invited here to present a third-party perspective, that of a faculty member, on the issues of last fall's strike at Yale.

I believe that my personal experiences with that Union are somewhat typical of those of the Yale faculty as a whole. Although I ultimately became more actively identified with the cause of Local 34 than a majority of my colleagues, I nevertheless believe that the ways I became educated and sensitized about labor management issues on my campus were similar to those of most other Yale faculty members.

I first became aware of Local 34's organizing drive sometime during the 1982-83 academic year, after it had been underway for more than two years. As my interest in the economic grievances of Yale's clerical and tecnnical staff grew, I soon became aware of Local 34's efforts to address the issue of pay discrimination against workers in occupations traditionally held by females. Although Local 34 rarely used the term "comparable worth," their goal, in fact, was similar to that of feminist organizations demanding equal pay for work of equivalent value. At Yale, the 82% female staff of administrative assistants, who ran entire departments, and laboratory technicians, who conducted experiments under very valuable grants from the federal government and private industry, earned on an average $4,000 a year less than the mostly male workers who drove the trucks and performed the maintenance services for the University. According to the Union, such salary disparities existed, not because clerical or technical jobs were less important or entailed less responsibility, but because those jobs have historically been viewed as women's work.

Last fall, Yale Economics Professor, Raymond Fair, made public a statistical analysis that documented signigicant salary disparities across job rankings between women and minorities and other workers at Yale, disparities that could not be accounted for by factors such as differences in education, years of service and job responsiblity. One important reason many Yale faculty members and students came to support Local 34 was the University Administration's refusal, in light of such studies, to cooperate in a thorough investigation of whether these pay disparities were, in fact, a product of job and pay discrimination against women and minority workers. Instead, Yale University spokespersons simply asserted that the pattern of lower pay for women workers, which comparable worth attempts to rectify, was a societal problem for which the university bore no responsibility. Although the Union's bargaining proposals to deal with this economic discrimination against women did not meet the strict standards that feminists groups have advanced in some earlier comparable worth court cases and negotiations, they nonetheless represented a significant start toward the goal of comparable worth and therefore received the endorsement of women's groups, both on campus and across the nation.

There are important noneconomic issues involved in last year's strike at Yale that won the Union much support among the faculty and student body. I remember vividly that each picket sign worn by a Local 34 striker bore the slogan "Striking for Respect." This issue became important for the Union as a result of the Yale Administration's bitter fight to avoid giving up any of its control over clerical and technical workers. Yale fought these workers at

every step. First, trying to prevent a union election, then showering the workers with anti-union propaganda and finally, hiring the Chicago-based, law firm of Seyforth, Shaw, Fairweather and Geraldson. In contrast, Local 34 adopted, from the outset of its drive, a remarkable, grass roots, democratic structure. The Union's agenda came from its members and the high degree of rank and file participation in decision making resulted in a spirit of solidarity among the workers which allowed them to endure enormous economic hardships while away from their jobs for ten weeks.

For someone like myself, I will confess, who shared the view that organized labor had declined in recent years, partially as a consequence of its bureaucratic, even autocratic, power structure, the experience of observing the democratic nature of Local 34 was indeed heartening. This Union's commitment to winning for the workers a voice in the running of their workplace and the Administration's total opposition to such a concept, persuaded a wide segment of the Yale faculty, including myself, to endorse Local 34's organizing drive.

In the spring of 1983, Local 34 won the right to bargain for Yale's 2600 clerical and technical workers in a National Labor Relations Board certification election. Following that victory, the Administration pledged to negotiate, in good faith, with the Union. What followed, however, suggested a different strategy. For the next five months, the University's chief negotiator dickered with the Union representatives over such details as the place and time for negotiation sessions. Concerned at the lack of progress, faculty members petitioned both sides to allow independent faculty observers to attend negotiating meetings. The Union accepted. The Administration refused. Compelled to attend negotiations as the Union's official guests, faculty members were appalled at the indifference and condensation that the Administration negotiating team brought to that task. The stark contrast between the Administration's public posture of reasonableness and its private posture of intractability led some 250 faculty members to petition both sides to agree to binding arbitration. Once again, the Union accepted, while the Administration refused. A paralyzing strike seemed inevitable in March 1984.

Whatever else it did, the strategy of delay won the Administration few allies. As the months passed, more and more pressure mounted from students, faculty, community leaders, and Connecticut legislators, all of whom urged the Administration to accept binding arbitration or negotiate a settlement. Finally, just eight days before the March strike deadline, the Administration began to negotiate in earnest. In an effort to avoid the disastrous consequences of a strike, Local 34 twice postponed its strike deadline and then agreed, on April 5th, to a partial settlement. This settlement granted the Union recognition and codified agreements in areas such as grievance procedures but it left unresolved the economic issues which were at the heart of Local 34's contract proposals.

Despite a significant change in the University's negotiating team, contract negotiations returned to their former stalemate over the summer of 1984 as the Administration rejected Local 34's compromised proposals and insisted that its own proposals, which did improve salaries slightly but ignored such issues as job security and pensions, were nonnegotiable ultimatums. Once again, faculty and others urged the Administration to accept binding arbitration which many nonprofit, education institutions have used to resolve labor disputes. The Administration and the Yale Corporation, ignoring the advice of experts from its own law school rejected arbitration. They also rejected the Union's offer of nonbinding factfinding and then insisted that they could not negotiate any further on the amount of their financial package. Having publicly dug in their heels, the Yale Admnistration was left with little room to compromise. The result was a long strike that tore apart the Yale campus from September 1984 to January 1985.

On the eve of the strike, the University promised that it would be business as usual at Yale with or without the clerical and technical workers. The withdrawal of the bulk of the clerical/technical services, as well as those of the unionized maintenance and service workers who had honored Local 34's picket lines reduced university operations to a bare minimum. Closed dining halls and gym facilities, harried administrators handling phones and the mail, and a paperwork backlog that delayed important bureaucratic reports, not to mention scholarly production for months, attested to the fact that it was not business as usual during the strike. Furthermore, professors, such as myself, who refused to habituate their students to the practice of crossing picket lines, moved more than 400 classes off campus, thanks to the willingness of local churches, theaters and social organizations to provide alternate teaching sites. In addition to normal strike activities, union members and campus supporters engaged in a series of activities that drew inspiration from and reinforced the aura of struggle for social and economic justice. These included mass meetings and rallies, petitions and press conferences, sit-ins and fundraisers. Particularly impressive were two episodes of civil disobedience in which hundreds of strikers and supporters blocked campus streets to protest Yale's refusal to negotiate seriously. The second arrest involving 434 people was joined by the long-time civil rights leader, Bayard Rustin, and endorsed beforehand in a stirring address by Ralph Abernathy.

Just before the University's Christmas recess last year, Local 34 and the 1,000 maintenance service workers of their sister Local 35, who had faithfully honored the picket lines, returned to work but at that time they announced their intention to walk out again in January if they had not reached a contract. This "home for the holidays" strategy frustrated the University's hope to starve Union members back to work. Negotiations resumed while Local 34 and 35 remained on the job.

In January, the Administration was faced with a choice between reaching a settlement with the unions or coping with another semester of chaos and disruption when both unions would return to the picket lines. Within just two weeks in mid-January, the University and both campus unions were able to hammer out unresolved contract issues and settle

without the need for a renewed strike.

Yale's highly prized and carefully cultivated liberal image did not bear up well all during the course of the strike. But, if that conflict undermined the harmony of the Yale community, it also provided a remarkable glimpse of how labor, minorities and women's organizations might effectively chart their course in these difficult times; that is, moving together in a united fashion. Thus, Yale University, perhaps in spite of its administrators, remained a center of enlightened thought during the strike.

I would like to end on a conciliatory and hopeful note. I believe that Yale also can emerge a winner from this bitter labor dispute if it embraces the principles of its settlement with Local 34. Today, the University has the opportunity to take a leading role in solving one of the pressing social problems of our times. By living up to the new contract, Yale can become a partner with Local 34, providing dignity, wage comparability and power over their working lives to the traditionally under-appreciated, and under-valued female clerical and technical workers. If Yale is willing to undertake this role, it can quickly resume its historic position in the vanguard of progressive education in this nation.

IV. A FACULTY PERSPECTIVE IN SUPPORT OF THE UNIVERSITY ADMINISTRATION

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I am an ordinary faculty member but the moral dice in these discussions are so loaded that I hope you'll allow me a minimal autobiographical statement as a disclaimer. I did not grow up in the East Bronx but I grew up in the Brownsville Section of Brooklyn and both of my parents were manual workers, both of them belonged to unions and I grew up and knew all the union songs and to this day, can give you at least two verses of the "Union Maid," should anybody want that. I mention that because it's so easy to be put into a little corner and identified in many ways. I regard myself as not unfriendly to unions and try to look upon them with the same objective eye that I try to look at other phenomena in our society. I think unions have their place and just precisely what it is and where it is needs to be determined by circumstances.

Now let me begin by focusing on the two questions that seem to me to explain why I am here namely, as a faculty member who did not join in support for the Union as some of the others did, and what do I think was the effect of the strike on the Yale students, on the Yale faculty and on Yale in a broader sense. Having done that I would like to say a little bit about some of the points that Mr. Wilhelm raised because I think they are very important and they deal with the question: what is the correct role of a university, private or public, in dealing with the problem of labor relations on its own campus?

First, what was the effect of the strike on the students? I do have a certain qualification to talk about this strike and that is I lived through the last one too. In 1977, we had a really bad strike that was about as long as this one. It was a strike by the blue collar workers not of the white collar workers. I put that as background for my understanding of the current strike because I think it provides a certain depth to our perceptions. Both strikes were the same in this respect, that they did very serious damage to the social life of the students of Yale because the residential dining halls are the center of social life for the students. It is not merely that mealtimes are great times to get together, talk and meet, but the dining halls are used for a variety of social and other functions. To my mind, based upon a lot of conversation and a lot of observation, that was the heaviest burden that the undergraduates had to bear and it was very unpleasant for them.

As for what you think of as the more fundamental role of students at a university, namely, attending classes and doing their work, it is my impression that on both occasions there was very little trouble for them. All classes met. The Union, as I understand it, did not ask any teachers not to meet their classes or students not to go to their classes, Some of the most vigorous supporters of the Union on the faculty were very vigorous in meeting their obligations as teachers. Some hundreds of classes met off campus which meant taking a few steps this way or that way. But, the overwhelming majority of teachers stayed where they were and the overwhelming majority of classes stayed where they were.

I taught two classes that term. I had about 135 students all together and I can simply report to you that not one student at any time came to me and asked me would I consider moving the class off campus. So that was not an issue for me. That, by the way, was not a unique experience as some of my colleagues passed on to me.

I think people simply didn't want to be bothered and wanted to live their lives in the usual way. My own impression was that apart from the discomfort that the students felt from the closing of the dining halls and some of the other things that were deprived, they mostly did not take part. Some students did - vigorously and it dominated their lives and it had both the pluses and the minuses. The minuses were that they stopped thinking about academic subjects and the pluses were that they became powerfully, emotionally and, in certain ways, very helpfully involved in the thing that meant a great deal to them. All I would say, to put that into perspective, is that that is a characteristic of Yale students responding to extracurricular activities at Yale. The typical member of the Yale Daily News does not do very much academic work. He spends all his time hacking away at the Yale Daily News and he thinks it is a good trade. I do not want to minimize what happened but I do want to put it into perspective and I do want to make it clear to you that, in my view, it represented a very sharp minority of the students who were very powerfully involved.

Let me turn to the faculty. How were they affected by the strike? Again, let us begin by saying they were, and it was negative. Nobody enjoyed it and it was an unpleasant experience for all. And again, all I am talking about is the faculty

of arts and sciences. Yale has a variety of faculties. I really don't know what was happening in the other ones. Here, the thing that was most surprising to me was that the absence of those clerical and other workers, and as Ms. Lorimer told you that amounted to something between 55 and 60 percent of the work force, turned out to have much less effect on the way we did our business than any of us thought. This is a very worrying fact and I kept hearing it from all over the place. In various areas, people could not understand why it was they were not suffering more in terms of being able to get their work done. The faculty, as far as I can see universally, met its teaching obligations one place or another.

Now in understanding how the faculty felt about these matters, I find it necessary to think about three different groups of faculty. I cannot say what the numbers were like but it was maybe equivalent in numbers, but I am not sure. One was like Mr. McKivigan, committed to the Union's cause and worked very hard to move it forward in a variety of ways and I am sure that that had many positive elements for them as well as the negative ones. A second group felt strongly that the Union was wrong and that it should not have what it wanted. The third group felt that they did not want to know whether the Union was right or wrong but that the faculty should not get involved in what they thought of as standard labor negotiation because they thought it inappropriate. The second and third groups formed a body that ended up arguing against the faculty that wanted to support the Union. In my opinion, they were the minority of the faculty of arts and sciences. The majority didn't give a damn, so far as one could see, because neither did they express a point of view, nor did they show up at the meetings when these issues were discussed. I think that is another thing that should be understood.

The faculty was given a very considerable opportunity to discuss the pros and cons of all the issues surrounding this strike in various ways. Both the Administration and the Union communicated to the faculty in writing on many occasions. There were several faculty meetings in which the President or the Provost or both were asked questions by the faculty and responded for some considerable time. On two occasions, the faculty members sympathetic to the cause of the Union put onto the agenda of a Yale College Faculty meeting a motion of one sort or another which we understood was intended to be supportive of the Union's position and critical of the Administration's position. On each occasion it led to a very thorough, long and, in some cases, impassioned discussion, concluding with a vote. On both occasions, the vote of the faculty was not to support the proposal which would have endorsed the Union's position at that time. The first of those votes was quite close, the second one a little bit less close. On both occasions, though they were very large faculty meetings by Yale standards, the majority of the faculty was not there.

The assertion that the Yale Administration acted pretty much like a corporation and basically was interested in busting the Union comes as quite a surprise to me. From an objective point of view, standing on the outside and watching it, if that is what they were trying to do, they really should have been fired because they were thoroughly incompetent in doing that. If I were engaged in a union-busting activity, I would not have done some of the following things that the Yale Administration did. First, I want to emphasize what an important issue it was for some of us that the people in the unit at issue barely voted to have a union. If you include those people who didn't vote, a majority of them did not express a positive vote for the Union. A majority of those voting did and that's legal and that's fine but we know that a very large number of these people did not wish to be in the Union. That's a very important fact because it affects what the University did as opposed to what it might have done.

In the spring 1984, the decision was made for the University to sign an agreement with the Union which effectively, put the Union in place. As I understand these things, had they failed to do that, in a few months it would have been open to people who had a right to do so, to make a motion to decertify the Union. And so, Yale did not take advantage of that. Anyway, if they were trying to bust the Union, they should not have signed any kind of a contract because that would have left it open for people to try to decertify the Union. Moreover, they then signed a contract which meant that there would be no strike at a time that was late in the year. If you want to force an unpleasant strike on a union at a time when it is least able to enjoy it, that is the time to do it. They signed a contract without any numbers leaving themselves in a situation that if a strike should come, it would come at a time most disadvantageous for the University. I can only say that if that was their carefully, calculated advice from those high priced firms, they should fire the firm and fire the Yale Administration.

Time does not allow further discussion on more of the issues and especially as to what is the appropriate role of the faculty and the University in dealing with labor negotiations. However, I wanted to indicate that I think there is another way of looking at it from what you have heard.

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